

OGC Has Reviewed

MEMORANDUM FOR: Inspector General

SUBJECT : Finance Division Notice No. #96 ("Policy regarding application of annual leave when travel is conducted by privately owned automobile not to exceed cost by common carrier"), 25 September 1956

REFERENCE : Memorandum for Comptroller, dated 1 November 1956, from Inspector General, Same Subject

1. Reference discusses subject and suggests that this office may wish to revise the policy expressed therein.

2. The legal determinations expressed in the Office of General Counsel memorandum were initiated on the basis of a request by Finance Division and served to confirm the position taken by Finance Division to the effect that the charging of leave for excess travel time is a matter of administrative discretion to be resolved by the individual agencies. Although the Office of General Counsel memorandum indicated that this office might establish a general policy of not charging leave in these cases, it is our view that such determination by this office would be in conflict with and serve to modify or nullify basic administrative responsibility for authorizing and controlling modes and conditions under which official travel will be performed.

3. Consistent with this view, subject notice (which is an internal procedural release providing guidance to Finance Division personnel auditing travel vouchers) advises auditors of the Finance Division that excess travel time need not be charged to annual leave in those instances wherein the authorizing officer determines that such leave need not be charged. Although the notice indicates that such determinations may be reflected on the Travel Order, Finance Division will accept such other evidence of administrative determination in the matter as is appropriate in the circumstances. In this connection, the office of the DD/P has proposed that the DD/P issue an administrative determination to the effect that, in the absence of specific determination to the contrary by travel authorizing officers in individual cases, excess time for travel by personal auto on a "not to exceed cost by common carrier" basis will not be charged to annual leave. Such procedure is consistent with the principle that the approval or disapproval of charges for annual leave is a matter for administrative rather than audit determination.

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4. Although we do not feel that it would be proper for this office to make administrative determinations which are the prerogative and responsibility of authorizing and approving officer, we agree that promulgation of a uniform policy on an Agency-wide basis is desirable. In order that early determinations as to such policy may be accomplished, our Technical Accounting Staff will undertake the preparation of an appropriate Agency notice and if the notice is approved, an amendment of Agency Regulations to incorporate the expression of policy therein.

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Acting Comptroller

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